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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,331	03/30/2001	LeRoy W. Tilt IV	P-24,723USA	8815

7590 08/12/2004

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EXAMINER	
BROWN, JAMES LEE	

ART UNIT	PAPER NUMBER
2144	

DATE MAILED: 08/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/823,331	TILT ET AL.	
	Examiner	Art Unit	
	James Brown	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-22 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-22 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 3/30/2001.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This application has been examined.

2. Corrected drawings, Paper 3, received 06/04/2001, have been entered into record.

3. Claims 1-22 are pending in this application.

Priority

4. No claim for priority has been made in this application.

5. The effective filing date for the subject matter defined in the pending claims in this application is 03/30/2001.

Drawings

6. The Examiner contends that the drawings submitted on 06/04/2001 are acceptable for examination proceedings.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Anders (U.S. Pat. No. 6,269,403) hereinafter referred to as Anders.

Anders discloses a method, a system, and computer readable medium that anticipates the functionality and structure of the present invention as broadly claimed.

9. In regards to claim 1, Anders teaches a method of serving a Web page to a requesting client, said Web page comprising code defining said page and including a plurality of supplemental files, said method comprising the steps of:

- parsing the code comprising the requested page to detect data within the code that indicates an order in which said supplemental files are to be served (Col. 10, lines 1-16, 37-40, and 52-62) [stream configurator parses web page to identify references to objects and their locations within a page, display sequence information is supplied by the designer];
- constructing a queue indicating said order (Col. 11, lines 7-30) [This function is realized by the "Interleavor" that sequences (i.e., queues) objects for data stream generation];
- serving said code to said requesting client; serving said supplemental files to said client in said order indicated in said queue (Col. 12 lines 51-67 through Col. 13, lines 1-5) [After data stream generation, the data stream is transmitted to the client where it is unpacked according to previously established queue order].

10. In regards to claim 2, Anders teaches receiving a request for a Web page (Col. 6, lines 40-46); and obtaining said code defining said Web page responsive to said request. (Col. 6, lines 40-46) [Client submits a request for a web page and the server responds by transmitting base HTML object.]

11. In regards to claim 3, Anders teaches wherein said step of obtaining said Web page comprises retrieving said code defining said Web page from a memory. (Col. 7, lines 19-35 and Col. 15, lines 1-7) [HTML threads/processes retrieve data required to format web pages from storage devices (a memory).]

12. In regards to claim 4, Anders teaches wherein said step of obtaining said Web page comprises building said code defining said Web page responsive to said request. (Col. 8, lines 59-66) [Server creates web page dynamically in response to a browser request.]

13. In regards to claim 5, Anders teaches receiving and detecting requests from said client machine for said supplemental files; and wherein said step of serving said supplemental files is performed after said receiving and detecting step. (Col. 6, lines 46-62) [After parsing the base HTML object the browser issues requests for graphics referenced in the base HTML object. The server responds by locating and preparing the requested objects for transfer.]

14. In regards to claim 6, Anders teaches wherein said step of serving said code defining said Web page is performed after said step of constructing said queue. (Col. 12 lines 51-67 through Col. 13, lines 1-5) [Code comprising the web page is transmitted by "Publisher" after constructing said queue. After data stream generation, the data stream is transmitted to the client where it is unpacked according to previously established queue order.]

15. In regards to claim 7, Anders teaches wherein said code defining said Web page comprises HTML code, said references to supplemental files comprise HTML tags, and said order data comprises attributes of said tags. (Col. 11, line 7 – Col. 12 line 44)

16. In regards to claim 8, Anders teaches wherein said order data attributes are not recognizable by said client machine. (Col. 8, lines 1-6) [A client of the Anders invention does not understand the sequence attribute. Sequence attributes are embedded in "Jammer format" of the Anders invention and require a helper application for proper recognition.]

17. In regards to claim 9, Anders teaches a computer readable storage medium containing executable code for controlling a computer for rendering a Web page, said code comprising:

- first code at least partially defining said Web page, said code including a plurality of references to supplemental files containing content of said

page (Col. 10, lines 1-16, 37-40, and 52-62) [stream configurator parses web page to identify references to objects and their locations];

- and second code indicating an order in which said supplemental files are to be rendered (Col. 11, line 7 – Col. 12 line 44).

18. In regards to claim 10, Anders teaches wherein said executable code comprises HTML code and wherein said second code is associated with each of said references and comprises an attribute of a tag associated with said supplemental file. (Col. 11, line 7 – Col. 12 line 44)

19. In regards to claim 11, Anders teaches wherein said second code associated with each of said references comprises an attribute of an HTML tag for which another of said tag's attributes is said reference to a supplemental file. (Col. 11, line 7 – Col. 12 line 44)

20. In regards to claim 12, Anders teaches a computer program product embodied on computer readable media readable by a computing device, said product for serving Web pages to a requesting client machine, wherein at least one of said Web pages contains a plurality of references to supplemental files comprising content of said Web page, said references including order data indicating an order in which said supplemental files are to be served relative to said other supplemental files contained in said page, said product comprising:

- first computer readable program code for receiving requests for said Web pages (Col. 6, lines 40-46);
- second computer readable program code for obtaining code defining said requested Web pages responsive to said requests, said code defining said Web pages (Col. 6, lines 40-46);
- third computer readable program code for parsing said code defining a Web page to detect said order data (Col. 10, lines 1-16, 37-40, and 52-62);
- fourth computer readable program code for constructing a queue in a memory (Col. 11, lines 7-30),
- said queue comprising a list of said supplemental files in said order (Col. 11, lines 7-30);
- fifth computer readable program code for serving said code defining said page to said requesting client machine (Col. 12, lines 51-67 through Col. 13, lines 1-5);
- sixth computer readable program code for serving said supplemental files to said requesting client machine in said order of said queue (Col. 12, lines 51-67 through Col. 13, lines 1-5).

21. In regards to claim 13, Anders teaches wherein said second computer readable program code comprises code for retrieving said code defining said Web page from a storage medium. (Col. 7, lines 19-35, and Col. 15, lines 1-7)

22. In regards to claim 14, Anders teaches wherein said second computer readable program code comprises code for building said code defining said Web page responsive to receipt of said request for said Web page. (Col. 8, lines 59-66)

23. In regards to claim 15, Anders teaches seventh computer readable program code for receiving and detecting requests from said client machine for said supplemental files (Col. 6, lines 46-62) and wherein said sixth computer readable program code operates after said seventh computer readable program code detects said request for at least one of said supplemental files. (Col. 6, lines 46-62)

24. In regards to claim 16, Anders teaches wherein said fifth computer readable program code operates after said fourth computer readable program code constructs said queue. (Col. 12, lines 51-67 through Col. 13, lines 1-5)

25. In regards to claim 17, Anders teaches wherein: said code defining said Web page comprises HTML code (Col. 11, line 7 – Col. 12 line 44); said references to supplemental files comprise HTML tags (Col. 11, line 7 – Col. 12 line 44); and said order data comprises attributes of said tags (Col. 11, line 7 – Col. 12 line 44).

26. In regards to claim 18, Anders teaches wherein said order data attributes are not recognizable by said client machine. (Col. 8, lines 1-6)

27. In regards to claim 19, Anders teaches a system for serving Web pages to a requesting client machine, at least one of said Web pages containing a plurality of references to supplemental files comprising content of said Web page, said page including order data indicating an order in which said supplemental files are to be served relative to said other supplemental files contained in said page, the system comprising:

- a computer including memory, and a processor, the memory being accessible by the processor and storing computer-readable programming including (Col. 7, lines 19-35 and Col. 15, lines 1-7),
- first computer readable program code for receiving requests for said Web pages (Col. 6, lines 40-46);
- second computer readable program code for obtaining code defining said requested Web pages, said code defining said Web pages (Col. 6, lines 40-46);
- third computer readable program code for parsing said code defining a Web page to detect said order data (Col. 10, lines 1-16, 37-40, and 52-62);
- fourth computer readable program code for constructing a queue in a memory, said queue comprising a list of said supplemental files in said order (Col. 11, lines 7-30);
- fifth computer readable program code for serving said code defining

- said page to said requesting client machine (Col. 12, line 51 – Col. 13, line 5);
- sixth computer readable program code for serving said supplemental files to said requesting client machine in said order of said queue (Col. 12, line 51 – Col. 13, line 5).

28. In regards to claim 20, Anders teaches wherein said fifth computer readable program code operates after said fourth computer readable program code constructs said queue. (Col. 12, line 51 – Col. 13, line 5)

29. In regards to claim 21, Anders teaches wherein: said code defining said Web page comprises HTML code; said references to supplemental files comprises HTML tags; and said order data comprises attributes of said tags. (Col. 11, line 7- Col. 12, line 44)

30. In regards to claim 22, Anders teaches wherein said order data attributes are not recognizable by said client machine. (Col. 8 lines 1-6)

Conclusion

31. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Scarborough et al. U.S. Pat. No. 6,353,448 discloses Graphical User Display Method.

32. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Brown whose telephone number is 703-605-4247. The examiner can normally be reached on M-F 9:00AM-3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on 703-308-3873. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James Brown
Examiner
Art Unit 2144

jb

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